



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

October 20, 2014

Melissa Smith  
62100 Great River Road  
Atlantic, IA 50022

Dear Child Care Provider,

This letter is in regards to the October 16, 2014 compliance check of your Level B, Registered Child Development Home. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home.

**The following areas were out of compliance at the time of my visit:**

☐ 110.5(1)j Emergency and disaster plans for fire and tornado are written and posted by primary and secondary exits. *Provider has emergency plans posted in basement by stairs leading to the upstairs but does not have by an exit on the main floor.*

☐ 110.5(1)n Has a minimum of one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway. *Provider needs to put a smoke detector in the office room on the main floor. A child was sleeping in the room during compliance check and provider uses for a sleeping room.*

☐ 110.5(1)n Each smoke detector is tested monthly, and a record is kept for inspection purposes. *Provider reports they are tested monthly by her husband but does not document.*

☐ 110.5(1)o Nonsmoking signs posted at every entrance of the home and in every vehicle used to transport children. Signs include telephone # for reporting complaints, and [www.iowasmokefreeair.gov](http://www.iowasmokefreeair.gov). *Provider needs to put signs up at every entrance to the home and make sure it has web site and phone number listed. Field staff encouraged provider to go to website and print up signs meeting policy. Provider can also go to the CCRR website for additional resources.* <http://www.iowaccrr.org/>

**110.5(2) A provider file is maintained and contains:**

☐ 110.5(2)a A physician's signed statement of health and immunization status on the provider and all members of the household who may be present when children are in the home. Statements must be obtained at the time of initial registration and updated every two years. *Provider's husband did not have form on file. Provider was informed of new DHS provider physical form and was referred to DHS daycare web site or CCRR for copy of the form. Provider was non-compliant with this policy during compliance check on 7/22/2013 and returned letter to DHS affirming she was in compliance with this.*

### 110.5(8) Children's Files

☐ 110.5(8) An individual file is maintained for each child and updated annually or when there are changes. *Provider has 8 children enrolled. There were 4 children present during the compliance check. Provider needs to ensure all forms are updated yearly. There were 2 children who need to have the forms in their files updated.*

Each file contains:

☐ 110.5(8)d For infants and preschoolers: An admission physical examination, on the first day of attendance, including past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary. The date of the exam is not more than 12 months before the child's first day of attendance. *1 out of 8 children was missing this form.*

☐ 110.5(8)e For school aged children: An annual statement of health condition signed by the parent or legal guardian, annually from date of admission physical. *1 out of 8 children was missing this form.*

### 110.5(9) The provider meets the following requirements:

☐ 110.5(9)a Gives careful supervision at all times. *Provider had children sleeping in the basement and on the second floor. She reported the baby monitor broke and she has not been able to replace it. DHS field staff reviewed supervision with provider. DHS field staff encourages her to keep all children on the same floor until baby monitor can be replaced.*

### 110.9(1) SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY "B"

*The provider was not over numbers at the time of the visit. This is included as a reminder to provider regarding how many children she can care for.*

110.9(1)a Not more than six preschool children present at any one time including infants.

110.9(1)b Of these six children, not more than four children who are 24 months of age or younger are present at any one time.

110.9(1)b Of the four children under 24 months of age, no more than three may be 18 months of age or younger.

110.9(1)c Not more than four additional school-age children.

110.9(1)d Not more than two children who are receiving care on a part-time basis at any one time.

110.9(1)e Not more than 12 children present when the emergency school closing exception is in effect.

110.9(1)f When more than 8 children are present for more than two hours, a DHS-approved assistant at least 14 years old is present.

**110.9(3) Facility requirements**

☐ 110.9(3)c If a basement window is used as an exit, the window is operable from the inside without the use of tools. *The window appears to be small and slides open. Provider was referred to Central office with ETP regarding basement level.*

☐ 110.9(3)c The window provides a clear opening of not less than 20 inches in width, 24 inches in height, and 5.7 square feet in area. *Provider will measure and send measurements to Central office in ETP (Exception to Policy).*

☐ 110.9(3)c The bottom of the window opening is not more than 44 inches above the floor with permanent steps inside leading up to the window. *The provider is caring for children in the basement level of the home. The bottom of the window leading outside the home is approximately 5 ft. 5 inches which is 66 inches from the floor. Provider has very stable stairs leading to the window. DHS field staff discussed the window and stairs with provider. DHS field staff referred provider to complete an exception to policy (ETP) so she can operate daycare in the basement. Field staff included form with this letter. Provider was encouraged to take pictures of the stairs, window, area leading to the stairs, doors kids have to go through to get to window in the other room, outside picture of the window, pictures of the window and all measurements so ETP staff is able to determine whether she is granted ETP.*

*When provider receives determination of ETP she will send a copy to DHS field staff for file.*

Non-compliance with any of the mandated regulatory requirements listed above may lead to the cancellation or revocation of your Child Development Home Registration. **Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations within the next 45 days.**

☒ Based on the items out of compliance listed above, a recheck or follow up visit to your home is not necessary. However, it is essential you provide documentation to the Department that certifies you have corrected each of the identified regulatory violations and are now in complete compliance with all Departmental regulatory mandates. **Please check mark each of the boxes listed above when the necessary corrections have been completed. By doing so, you certify that you have completed all of the mandated regulatory requirements contained within each identified section.**

**I certify that I have taken all of the steps necessary to correct each of the identified violations noted above and am now in complete compliance with all of the Departmental mandated regulatory rules.**

**Please sign and date below, and return this form in the provided envelope by: November 30, 2014.**

X \_\_\_\_\_

Signature

Date

Please do not hesitate to contact me at DHS at (712) 328 - 5713 if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Michelle Nodding". The script is cursive and fluid.

Social Worker II

A handwritten signature in blue ink that reads "Anne Matthai". The script is cursive and fluid.

Social Work Supervisor

Always Remember:

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at 1-800-945-9778 .

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you need to use only DHS approved training and only 12 hours can be by self-study. You can access the approved training by going to [http://www.dhs.state.ia.us/Consumers/Child\\_Care/Professional\\_Development.html](http://www.dhs.state.ia.us/Consumers/Child_Care/Professional_Development.html) and you can sign up for training at <https://ccmis.dhs.state.ia.us/trainingregistry/>

All providers need to maintain compliance with rules set out in Iowa Administrative Code, Chapter 110, which includes: 441 IAC 110.5(1): Check with the appropriate authorities to determine how the following local, state, or federal laws apply to you: • Zoning code • Building code • Fire code • Business license • State and federal income tax • Unemployment insurance • Worker's Compensation • Minimum wage and hour requirements • OSHA • Americans with Disabilities Act (ADA).